

SO ORDERED: December 23, 2020.




Jeffrey J. Graham
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

In re:)
Johnny Darrell Lorick,) CASE #: 19-00252-JJG-13
Debtor.)

**ORDER GRANTING MOTION TO SELL PROPERTY FREE AND CLEAR OF LIENS
UNDER 11 U.S.C. § 363(f)**

THIS MATTER comes before the Court on the *Motion to Sell Property Free and Clear of Liens under 11 U.S.C. § 363(f)* filed by Johnny Darrell Lorick (“Debtor”) on December 15, 2020 (Docket No. 69) (the “Motion”). The Court, having reviewed the Motion, having noted that no objection to the Motion was timely filed, and being otherwise duly advised, now GRANTS the Motion.

1. Debtor may sell the real property commonly known as 6445 Harrison Ridge Boulevard, Indianapolis, IN 46236, free and clear of liens and encumbrances, to Juliet Jackson pursuant to the terms set forth in the Debtor's Motion and related Purchase Agreement, and any addendums thereto, which was attached as Exhibit "A" to Debtor's Motion.

2. Pursuant to 11 U.S.C. § 363(f), said sale shall be free and clear of any interest in such property of an entity other than the estate, with interests in such property to attach to the proceeds of sale.

3. Debtor is authorized to sign, execute, and deliver such documents as are necessary to effectuate the sale.

4. From the proceeds of sale, the following payments are authorized to be made at closing:

a. The amount necessary to satisfy in full the claim of Colonial Savings, F.A., as secured by a first mortgage on the property;

b. The amount necessary to satisfy in full the claim of Eagles Nest Homeowners Association, Inc., as secured by a statutory lien on the property;

c. All county taxes, sewage assessments, and special assessments constituting a lien against the subject real estate; and

d. Ordinary and necessary expenses of closing.

5. The commission of 7.0% of the sales price payable to James Gilday - Keller Williams – Indianapolis/Carmel shall be requested separately through a fee application, to be filed by Debtor's counsel, on behalf of the realtor James Gilday - Keller Williams – Indianapolis/Carmel. Prior to an Order Granting Fee Application being

signed, any money owed for realtor compensation shall be held in escrow pending Court approval.

6. Debtor shall be permitted to retain any net proceeds from the sale of the real property up to the claimed exemption amount of \$19,300.00. To the extent that there are net proceeds exceeding \$19,300.00, the closing agent of the proposed transaction shall remit said excess proceeds payable to Ann M. DeLaney, Chapter 13 Trustee, PO Box 250, Memphis, TN 38101-0250. The above-captioned case number shall be included on the payment remitted to Ann M. DeLaney, Chapter 13 Trustee.

7. Once the proposed transaction is completed, the Debtor shall provide a closing statement to the Chapter 13 Trustee and Debtor's counsel within 10 days of the closing of the transaction. Pursuant to Fed. R. Bankr. P. 6004(f)(1) and S.D. Ind. L.B.R. B-6004-2(e), a Report of Sale shall be filed by Debtor's counsel within 14 days after the sale has closed.

IT IS SO ORDERED.

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